

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

WILLIAM T. MOCK; *et al.*,

Plaintiffs,

v.

MERRICK GARLAND, in his official
capacity as Attorney General of the United States;
et al.,

Defendants.

Civil Action No. 4:23-cv-00095-O

DECLARATION OF BRANDON COMBS

I, Brandon Combs, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following statements are true and correct to the best of my knowledge:

1. I am over 18 years of age, competent to testify, and have personal knowledge of the matters stated herein.

2. I am the founder and president of Firearms Policy Coalition, Inc. (“FPC”) and have held that position since FPC was founded in 2014. As FPC’s president, I am duly authorized to act on behalf of the organization. As FPC’s president, I oversee and sometimes participate directly in FPC’s various operations, programs, communications, and legal efforts.

3. FPC is a nonstock, nonprofit organization incorporated under the laws of Delaware. FPC is tax exempt under section 501(c)(4) of the Internal Revenue Code. FPC’s principal place of business is in Clark County, Nevada.

4. FPC’s purpose is to create a world of maximal human liberty, advocate for individual liberties, restore freedom, and defend important rights—especially, but not limited to, those protected under the First, Second, Fifth, and Fourteenth Amendments to the United States

Constitution. FPC promotes sound public policy that is consistent with natural rights. FPC also promotes liberty-supporting culture and engagement. FPC helps its members and individuals throughout the United States through its activities including protecting, defending, and advancing the means and methods by which the People of the United States may exercise their right to keep and bear arms, such as but not limited to the acquisition, construction, collection, transportation, exhibition, carry, care, use, and disposition of arms for all lawful purposes. FPC's mission is available to its members and the public on FPC's website. *See About FPC*, FIREARMS POLICY COALITION (last visited Feb. 8, 2023).¹

5. FPC accomplishes its mission, serves its members, and serves the public through various programs including but not limited to legislative and regulatory advocacy, grassroots advocacy, litigation and legal efforts, criminal defense of individuals prosecuted under unconstitutional laws, research, education, outreach, and other programs.

6. FPC's legal program is designed to "bring cases that protect [FPC's members'] rights and property, restore individual liberty, and help us achieve our purpose to create a world of maximal human liberty." *About FPC Law*, FIREARMS POLICY COALITION (last visited Feb. 8, 2023).²

7. FPC brought this lawsuit on behalf of itself and its members across the United States in a representative capacity. FPC has hundreds of thousands of members across the country—members that expect and rely upon FPC to file lawsuits such as this to vindicate their constitutionally and statutorily protected rights, as well as the structural protections of our constitutional form of government.

¹ www.firearmspolicy.org/about.

² www.firearmspolicy.org/legal.

8. Individuals can join FPC on its website at www.firearmspolicy.org/join. FPC also has “Constitutional Alliance” commercial members that partner with FPC to directly support the ongoing efforts of FPC to protect individual rights. More about Constitution Alliance members can be found at www.firearmspolicy.org/alliance. FPC members typically receive a membership kit that includes a letter of thanks, a membership card, and sometimes other items upon joining.

9. FPC’s membership includes numerous individuals and businesses, including Plaintiffs Christopher Lewis, William T. Mock, Maxim Defense Industries, LLC, and others who are impacted by the Final Rule’s regulation on the manufacture, purchase, possession, and sale of the braced pistols and stabilizing braces at issue in this litigation. FPC’s individual members, including Plaintiffs Mock and Lewis, are also negatively impacted by the false “choice” given to them by the Agencies in complying with the Agencies’ unconstitutional and unlawful Final Rule or potentially facing felony charges, imprisonment, or a loss or destruction of their constitutionally protected property. They are also prohibited from buying additional braced pistols absent the NFA’s onerous and restrictive requirements.

10. FPC’s commercial members, including Plaintiff Maxim Defense, have had their business practices upended, will suffer extreme losses and lost profits, and several may be put out of business entirely.

11. Some of FPC’s members would participate in a lawsuit such as this, but fear retribution from the federal or their state and/or local government.

12. FPC’s members and similarly situated members of the public have contacted FPC about the impact and scope of the Final Rule, asking questions regarding issues such as the effect of possession of unattached stabilizing braces, what items may or may not be deemed by the Agencies to convert a pistol into a short-barreled rifle, the impact of the Final Rule in states that

prohibit the possession of short-barreled rifles, and more. FPC's members have expressed a concern not just with the impact of and penalties associated with the Final Rule, but with their inability to understand the full effect of the Final Rule.

DATED this 8th day of February, 2023.

A handwritten signature in black ink, appearing to read 'Brandon Combs', is positioned above a horizontal line.

Brandon Combs
President
Firearms Policy Coalition, Inc.